

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

**SUPERIOR COURT DEPARTMENT
DOCKET NO. 2581-CR-0138**

COMMONWEALTH

v.

HEINSKY ANACREON

COMMONWEALTH'S STATEMENT OF THE CASE

Now comes the Commonwealth in the above-captioned matter and submits this Statement of the Case. This statement is provided to assist the Court and is not intended to be a bill of particulars, nor does it contain all information known to the Commonwealth at this time.

The Disappearance of Charline Rosemond

On April 7, 2009, Charline Rosemond, 23, left her workplace in Brighton at the end of the working day. She exchanged text messages with a friend as late as 9:15 PM, when she suddenly stopped replying. She never returned to her Everett home that evening. Her tightly-knit family immediately reported her as a missing person, but despite their efforts her whereabouts remained unknown for six days. On April 13, 2009, the victim's body was found in Union Square, Somerville, in the driver's seat of the car she had borrowed from her father. She had been shot from behind, through the driver's side headrest, causing a massive fatal head wound. There was no cartridge casing recovered from the vehicle, strongly suggesting that the weapon that was used to kill her was a revolver. A trained ballisticsian from the Massachusetts State Police Firearms Identification section determined

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that the shot had come from a weapon chambered to fire .44 Magnum ammunition, and that the projectile recovered from the scene showed indication of so-called "5R" rifling, a type of rifling found in Smith & Wesson revolvers.

Investigation revealed that four days prior to her disappearance, the victim had withdrawn \$4100 in cash from her bank, and had expressed to friends and family that she intended to use the money to buy a used black Lexus automobile. She said she would be getting a favorable price for the car, but that the sellers required her to pay in cash. There was no cash on the victim's person at the time her body was found, suggesting that she had been the victim of a robbery.

Investigators learned that the victim had been in negotiations with a longtime friend, Roberto Jeune, and a third party, later identified as Heinsky Anacreon, to purchase such a car. In interviews with police, both Jeune and Anacreon denied that they had been involved in her death and denied having any knowledge of how the victim had died. A search warrant executed at Jeune's residence in April of 2009 did not recover any firearms, but it did identify two hard cases used to store firearms, and a pair of latex gloves. Jeune did not have a license to possess firearms, and did not work in a medical field. Recovered during a search warrant executed at Anacreon's residence was an empty bottle of Moet & Chandon champagne.

When investigators pointed out to Anacreon that the accounts he and Jeune had given of their whereabouts on the night of April 7, 2009 were inconsistent with one another, and were contradicted by other evidence, Anacreon offered to frame Jeune for the murder of Charline Rosemond. Investigators told Anacreon they only wanted him to tell the truth.

The Robbery Plot

Investigation revealed that Anacreon had worked in an off-the-books capacity for a Somerville-based used car dealership. In that capacity, he had access to a black 2001 Lexus GS300 – exactly the type of car that the victim had told her friends and family she would be buying. Anacreon was observed driving that Lexus vehicle in April of 2009, and admitted to his employer that he was showing it to another party for sale. Anacreon's employer, however, had no cash-only rule; the employer routinely accepted bank checks when selling automobiles.

Through a lengthy grand jury investigation, witnesses were identified who revealed that Jeune and Anacreon had lied to police when they claimed to have had no knowledge of the victim's death. On the contrary, Anacreon had admitted to multiple parties close to him that he knew who had killed the victim. Though he minimized his own role in the scheme, Anacreon had admitted providing Jeune with a firearm which Jeune said he would use to accomplish an assault or robbery, and Anacreon admitted that after the victim was murdered, Jeune had returned the weapon to him, and he (Anacreon) had then disposed of the murder weapon by throwing it into a river. The murder weapon has never been recovered. Though neither Jeune nor Anacreon had ever held a license to lawfully possess a firearm, multiple witnesses were identified through the investigation who had seen Anacreon in possession of firearms, including one that was described as being silver in color, with a six-inch barrel.

Investigators also obtained numerous recorded telephone conversations between Anacreon and Jeune from a period between 2010 and 2012, during which Jeune was incarcerated for an unrelated drug crime, and his outgoing calls were recorded pursuant to

policy by the Middlesex Sheriff's Office. In those conversations, Anacreon and Jeune repeatedly and enthusiastically discuss firearms in coded language, referring to firearms as "sneakers" and ammunition cartridges as "laces." In one of those conversations, Jeune expressed his preference for Smith & Wesson revolvers. In another coded conversation about "sneakers," Jeune said, "I feel like fucking Eastwood," a reference to the popular 1971 film "Dirty Harry," in which actor Clint Eastwood wields a .44 Magnum Smith & Wesson Model 29 revolver, which he famously refers to as "the most powerful handgun in the world." Anacreon responds that such a revolver is "fucking slow. Too long." Jeune then enthuses, "Yeah, my fingers are itchy, [n-word]. Bliss. Yeah."

During the course of the investigation, State Police Crime Scene Services personnel carefully examined the interior of the Honda vehicle in which the victim had been killed. Analysis by DNA chemists attached to the State Police Crime Laboratory indicated that Roberto Jeune was a potential contributor to a DNA mixture recovered from a swabbing of the passenger-side interior door handle of that vehicle. Fewer than one in 1000 African-American individuals would have been included as a potential contributor to that mixture.

Investigators also learned that on the night of April 7, 2009, in the immediate aftermath of the victim's murder, Jeune and Anacreon had shared a celebratory bottle of Moët & Chandon champagne, consistent with the bottle that was recovered during the search of Anacreon's residence.

Attempt to Willfully Mislead Authorities

On May 21, 2024, with his own attorney present, Anacreon met with a State Police Lieutenant and a Middlesex County prosecutor at the Middlesex District Attorney's Office in Woburn. Anacreon and his attorney executed a written proffer agreement making

explicit the terms of the meeting. He was advised that he had no obligation to speak to authorities, but that, under the terms of the proffer agreement, information he provided on that day would not be used against him, so long as he did not attempt to mislead authorities. He was specifically advised not to lie to investigators, as that would constitute a felony offense, and he was shown a highlighted copy of the text of M.G.L. c. 268, § 13B, which prohibits “willfully misleading” a police officer or attorney “with the intent to obstruct a criminal investigation at any stage,” and dictates that such conduct carries a maximum penalty of ten years in state prison. After this advisement, Anacreon claimed that Jeune had committed the murder of Charline Rosemond, and that he had admitted it to Anacreon. Anacreon claimed he had played no role in planning the robbery or murder, or in covering it up. Anacreon claimed that he had heard Jeune had been asking other parties for a firearm prior to the murder, but he specifically claimed that Jeune had never asked him for a weapon. Evidence gathered through the course of the investigation demonstrated that this statement was knowingly and intentionally false and calculated to obstruct the investigation of the murder of Charline Rosemond.

Respectfully Submitted
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